

REMARKS

The Office Action mailed on 10/25/04 stated: "The reply filed on 07/08/04 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): applicants have not elected one of the three patentably distinct inventions identified by groups I, II, and III, in the office action dated 5/11/04. Applicants must make an election, as noted in the last full paragraph on page 2 of the office action dated 7/08/04."

Applicants believe that some confusion exists in relating applicant's responses to office actions and their dates. Applicants further believe that the office action referred to in the last sentence of the above paragraph should have been dated 5/11/04 and not 7/08/04 as stated.

Referring now to Applicant's response to 5/11/04 office action. Our response to this office action is dated in your system as 6/3/04 and not 7/08/04 as indicated. With respect to Elections, if you look under the file wrapper for this application on 6/3/04 under Applicant Arguments or Remarks Made in an Amendment you will find our response on the second page titled Elections/Restrictions. On that page we stated:

"Applicants elect, Examiner's designated Group I claims 31-55.

Applicants respectfully traverse Group II and III for the following reasons: (1)
The inventors believe that the Group II and Group III have been misclassified. The examiner has previously stated in a phone conversation that a typo occurred in group II and

that it should have been classified in Class 5, subclass 1. We believe that Group III is also miss classified. The invention is not a method of converting a juvenile bed to an adult bed, but rather A method for utilizing the mattress of an existing juvenile or adult bed as a crib mattress and thus would also be classified in Class 5, subclass 1. (2) We believe that all of these claims do not meet the criteria specified in (MPEP § 806.05(h)). Looking first at claim 58. The claim incorporates all of the restrictions placed on the invention within claim 53 and therefore cannot be practiced with another materially different product of used in a materially different way. Claim 57 is an expanded version of claim 58 and could only be used with the same juvenile or adult bed as described in claim 58. Claim 56 uses the identical mechanism as claimed in claims 33, 38, 42 and 49. The mechanism as described is limited to use on cribs and can not be used in a materially different process. Therefore, inventors respectfully request Group II and Group III claims be considered for allowance if claims within 31-55 containing the basic mechanism are allowed.”

We wish to stand behind our original election response.

On 6/21/04 we were mailed a Notice of Non-Compliant Amendment because we had failed to list claims that we had canceled in our 6/3/04 reply to the 5/11/04 office action. In our 7/08/04 response to the 6/21/04 Office action we corrected this omission and added a few words to two claims for clarification. Unfortunately we incorrectly underlined these words for ease of identification by the examiner. A copy of previously submitted claims without underlining have been enclosed with this amendment to correct this error.